

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 \* \* \*

4 JAMES H. HAYES,

5 Plaintiff,

6 v.

7 CITY OF LAS VEGAS, *et al.*,

8 Defendants.  
9

Case No. 2:20-cv-02122-RFB-BNW

**ORDER**

10 Presently before the Court is Plaintiff's Motion for Status Check (ECF No. 94). The Court  
11 need only address the issue of service on Defendants William Rowles, Michael Dickerson, E.  
12 Varsin, A. Fox, L Jex, and D. McElroy.

13 When Plaintiff drafted his first amended complaint, ECF No. 50, he failed to follow the  
14 instructions on the form for filing civil rights complaints which instructs, on page 2, "if you are  
15 naming more than five (5) defendants" you must make a copy of that page and use it in the  
16 complaint to provide the information for all the defendants in the required format. Instead,  
17 Plaintiff named six defendants through page 3, and continued on with section B "Nature of the  
18 Case" through page 5. On page 6, Plaintiff began to name defendants again, beginning with Clark  
19 County which it had already named as a Defendant, and intermingled the names of new  
20 defendants with already named defendants. Also, Plaintiff only identified six defendants in the  
21 caption of the amended complaint. Due to the confusing organization of his complaint, both the  
22 Clerk's Office and the Court failed to identify that Plaintiff intended to name Rowles, Dickerson,  
23 Varsin, Fox, Jex and McElroy as defendants.


24 Accordingly, **IT IS HEREBY ORDERED** that Plaintiff's Motion at ECF No. 94 is  
25 **GRANTED**, consistent with this Order.

26 **IT IS FURTHER ORDERED** that the Clerk of the Court add these six additional  
27 defendants as named defendants on the docket of the case.  
28

**IT IS FURTHER ORDERED** that Plaintiff shall have 30 days to fill out the required USM-285 forms and send them to the U.S. Marshals Service. On the forms, Plaintiff must fill in defendants' last-known addresses.

**IT IS FURTHER ORDERED** that the Clerk of Court serve a copy of this order, the issued summonses, and the operative complaint (ECF No. 15-1) on the U.S. Marshals Service.

**IT IS FURTHER ORDERED** that, within 90 days of today's order, the U.S. Marshals Service shall file the summonses returned as executed or a notice indicating why service has not been effectuated.

  
BRENDA WEKSLER  
UNITED STATES MAGISTRATE JUDGE